

PU020491

Ser. No.10/537,751

Amdt. dated February 20, 2008

Reply to Office action of September 26, 2007

Remarks/Arguments

Claims 1 and 18 have been amended to clarify the power is applied to the second tuner in a cyclical manner during the second mode of operation. These amendments are supported by the specification at page 5, lines 22-28. The cyclical application of power addresses the problem of excessive power consumption and heat generation while using a tuner to receive auxiliary data. Furthermore, claim 18 has been amended to overcome the examiner's objections. It is submitted that claims 1-4 and 18-22 are now in condition for allowance. Such action is respectfully requested.

35 U.S.C. §102(b)

Claims 1 and 18 have been rejected under 35 U.S.C. 102(b) as being anticipated by Hayashi (US 5,313,282). It is submitted that Hayashi does not teach or suggest a "controller further operative to cyclically apply and remove power to said second tuner during said second mode of operation" as recited in the currently amended claim 1.

The present invention, as recited in the amended claim 1, applies and removes power to a second tuner during a standby mode according to a predetermined duty cycle. (page 5, lines 22-28) The duty cycle is determined to balance the requirement to receive auxiliary data and to control heat build up and excessive power consumption.

It is submitted that Hayashi does not teach or suggest to "cyclically apply and remove power to said second tuner during said second mode of operation" as recited in the currently amended claim 1. Hayashi teaches that power will be supplied to the satellite tuner until any recording currently in progress is finished, at which time power will be removed. Hayashi does not teach or suggest reapplying power to the tuner, nor does it suggest the problem addressed by the present invention.

It is therefore submitted that the present invention, as recited by the presently amended claim 1 is not anticipated by Hayashi and is therefore allowable. Such action is respectfully requested. Furthermore, it is submitted that claim 18 is allowable for at least the same reasons that claim 1 is allowable. Such action is respectfully requested.

It is submitted that dependent claims 2-4 and 19-22 are dependent from allowable independent claims and are therefore allowable for at least the same reasons that their respective independent claims are allowable. Such action is respectfully requested.

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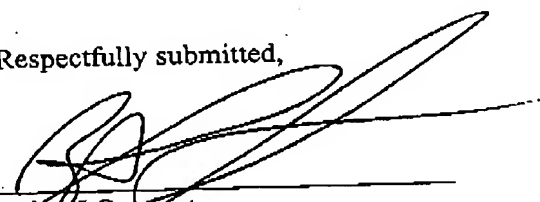
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Having fully addressed the Examiner's rejections it is believed that, in view of the preceding amendments and remarks, this application stands in condition for allowance. Accordingly then, reconsideration and allowance are respectfully solicited. If, however, the Examiner is of the opinion that such action cannot be taken, the Examiner is invited to contact the applicant's representative at (609) 734-6804, so that a mutually convenient date and time for a telephonic interview may be scheduled.

No fee is believed due. However, if a fee is due, please charge the additional fee to Deposit Account 07-0832.

Respectfully submitted,



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